

Combined Declaration for Patent Application and Power of Attorney

(Includes Reference to PCT International Applications)

Attorney's Docket Number

104334US0

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR IMPROVING THE FREEZING TOLERANCE OF PLANTS

the specification of which (check only one item below)

- ☐ is attached hereto.
- ☐ was filed as United States application

Serial No. _____

on _____

and was amended

on _____ (if applicable).

- ☒ was filed as PCT international application

Number **PCT/CA98/00648**on **2 JULY 1998 (02.07.98)**

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
CA	2,209,591	3 JULY 1997 (03.07.97)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		

Combined Declaration for Patent Application and Power of Attorney (Continued)

(Includes Reference to PCT International Applications)

Attorney's Docket Number

P04334US0

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number) Donald H. Zarley, Reg. #18,543; Bruce W. McKee, Reg. #19,651; Dennis L. Thomte, Reg. #22,497; Michael G. Voorhees, Reg. #25,715; Edmund J. Sease, Reg. #24,741; Mark D. Hansing, Reg. #30,643; Kirk M. Hartung, Reg. #31,021; Daniel J. Cosgrove, Reg. #36,770; Michael R. Crabb, Reg. #37,298; Heidi Sease Nebel, Reg. #37,719; Wendy K. Marsh, Reg. #39,705; Jeffrey D. Harty, Registration No. 40,639; James A. Napier, Registration No. 42,025; Mark Ziegelbein, Registration No. 43,307; Timothy J. Zarley, Registration No. P-45,253; and Patty L. Ades, Registration No. P-44,496.

Send correspondence to:

Heidi S. Nebel

ZARLEY, MCKEE, THOMTE, VOORHEES & SEASE801 Grand Avenue, Suite 3200Des Moines, Iowa 50309-2721

Direct Telephone Calls to:

(Name and telephone number)

Heidi S. Nebel

515-288-3667

2	FULL NAME OF INVENTOR	FAMILY NAME ALLARD	FIRST GIVEN NAME FRANCE	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY ST.-LEONARD <i>CAX</i>	STATE OR FOREIGN COUNTRY QUEBEC	COUNTRY OF CITIZENSHIP CA
1	POST OFFICE ADDRESS	POST OFFICE ADDRESS 7257 BEAUCHESNE	CITY ST.-LEONARD	STATE & ZIP CODE/COUNTRY QUEBEC HIS 2C7 CA
2	FULL NAME OF INVENTOR	FAMILY NAME SARHAN	FIRST GIVEN NAME FATHEY	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY ST.-LAURENT <i>CAX</i>	STATE OR FOREIGN COUNTRY QUEBEC	COUNTRY OF CITIZENSHIP CA
2	POST OFFICE ADDRESS	POST OFFICE ADDRESS 3277 ACHIM	CITY ST.-LAURENT	STATE & ZIP CODE/COUNTRY QUEBEC H4K 1V5 CA
2	FULL NAME OF INVENTOR	FAMILY NAME HOUE	FIRST GIVEN NAME MARIO	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY LONGUEUIL <i>CAX</i>	STATE OR FOREIGN COUNTRY QUEBEC	COUNTRY OF CITIZENSHIP CA
3	POST OFFICE ADDRESS	POST OFFICE ADDRESS 430 RICHARD	CITY LONGUEUIL	STATE & ZIP CODE/COUNTRY QUEBEC J4L 2A4 CA
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
5	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
6	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Applicant or Patentee: France Allard, Fathey Sarhan and Mario Houde

Serial No. or Patent No: _____

Filed or Issued: _____

For: METHOD FOR IMPROVING THE FREEZING TOLERANCE OF PLANTSVERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(a) AND 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: UNIVERSITE DU QUEBEC A MONTREALADDRESS OF ORGANIZATION Pavillon Athanas David, D-3602
1430 St-Denis, Montreal, Quebec H2X 3J8 CA

TYPE OF ORGANIZATION

☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE

UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE

(26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE

OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 36, United States Code with regard to the invention entitled METHOD FOR IMPROVING THE FREEZING TOLERANCE OF PLANTS by inventor(s) France Allard, Fathey Sarhan and Mario Houde as described in:☐ the specification filed herewith.☒ application serial no. _____, filed December 22, 1999☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention overriding to their status as small entities. (37 CFR 1.27).

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of payment, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)). I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Y PARENT, PIERRETITLE IN ORGANIZATION SECRETARY - GENERALADDRESS OF PERSON SIGNING 1430 ST-DENIS, MONTREAL, QUEBEC H2X 3J8SIGNATURE [Signature] DATE February 18 - 2000